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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,742	08/05/2003	Denny Jaeger	4311	9674
7590	04/29/2005			EXAMINER ROSWELL, MICHAEL
Harris Zimmerman Law Offices of Harris Zimmerman Suite 710 1330 Broadway Oakland, CA 94612			ART UNIT 2173	PAPER NUMBER
			DATE MAILED: 04/29/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/635,742	JAEGER, DENNY	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 August 2003.

2a) This action is **FINAL**.                                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-5 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-5 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 05 August 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al (US Patent 6,459,442), hereinafter Edwards.

Regarding claim 1, Edwards teaches a first inputting canvas on which different graphic elements can be created, said different graphic elements existing on said first inputting canvas (taught as the use of a display that allows a user to enter freeform graphic strokes, at col. 4, lines 53-59), a second inputting canvas on which additional graphic elements can be created, said inputting canvas being on said first inputting canvas, said second inputting canvas being configured such that said additional graphic elements created on said second inputting canvas exist on said first inputting canvas (taught as the use of graphic segments for grouping together similar strokes in a localized area on the display, at col. 5, lines 14-37).

Regarding claim 2, Edwards teaches a global drawing surface on which different graphic elements can be created, said different graphic element existing on said global drawing surface (taught as the use of a display that allows a user to enter freeform graphic strokes, at col. 4,

lines 53-59), and a display-and-control graphic element having a local drawing area on which additional graphic element can be created, said display-and-control graphic element being configured such that a graphic element on said local drawing area exist on said global drawing surface (taught as the attaching of specific behaviors to a graphic segment, the graphic segment and associated strokes being drawn on a localized area on the display, at col. 5, lines 14-37).

Regarding claim 3, Edwards teaches display-and-control graphic elements configured such that at least one of the additional graphic elements in the display-and-control graphic element can be operatively associated with at least one of the different graphic elements on the global drawing surface, taught as the ability to add and remove elements from a segment by way of specialized strokes, at col. 12, lines 25-41 and Figs. 25 and 26, as well as the splitting or joining of multiple segments, at col. 10, lines 36-44.

Regarding claim 4, Edwards teaches generating a local inputting canvas on a global inputting canvas (taught as the use of a display that allows a user to enter freeform graphic strokes, at col. 4, lines 53-59), and creating a graphic element on the local inputting canvas such that the graphic element exists on the global inputting canvas, including visually presenting the graphic element on the local inputting canvas such that the graphic element appears to exist on the local inputting canvas (taught as the attaching of specific behaviors to a graphic segment, the graphic segment and associated strokes being drawn on a localized area on the display, at col. 5, lines 14-37).

Regarding claim 5, Edwards teaches operating on a second graphic element on the global inputting canvas using the graphic element on the local inputting canvas, taught as the ability to add and remove elements from a segment by way of specialized strokes, at col. 12, lines 25-41 and Figs. 25 and 26, as well as the splitting or joining of multiple segments, at col. 10, lines 36-44.

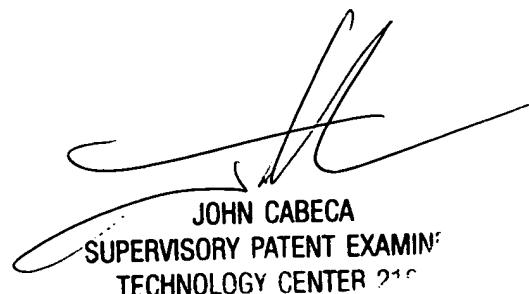
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell  
4/25/2005



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
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